

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

Jarek Molski,

NO. C 04-02439 JW -JW

Plaintiff,

**ORDER TO SHOW CAUSE
RE: SETTLEMENT**

v.

Santa Cruz Diner, et al.,


Defendants.

On September 19, 2006, the Court was informed by a minute entry from Magistrate Judge Trumbull that the parties have placed their settlement on the record. In light of the settlement, the Court vacates all trial and pretrial dates. On or before **December 13, 2006**, the parties shall file a stipulated dismissal pursuant to Federal Rule of Civil Procedure 41(a).

If a dismissal is not filed by the specified date, all parties shall appear in Courtroom No. 8, 4th Floor, United States District Court, 280 South First Street, San Jose, Ca. on **December 18, 2006 at 9:00 a.m.** and to show cause, if any, why the case should not be dismissed pursuant to Fed. R. Civ. P. 41(b). On or before **December 15, 2006**, the parties shall file a joint statement in response to the Order to Show Cause. The joint statement shall set forth the status of the activities of the parties for finalizing the settlement and how much additional time is requested to finalize and file the dismissal. If a voluntary dismissal is filed as ordered, the Order to Show Cause hearing will be automatically vacated.

Failure to comply with any part of this Order will be deemed sufficient grounds to dismiss this action.

Dated: September 20, 2006



JAMES WARE
United States District Judge

1 **THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:**

2 Jennifer L. Steneberg jsteneberg@disabilitieslaw.com

3 Julia Marie Adams jadams@disabilitieslaw.com

4 Samuel L. Phillips sphillips@bpclaw.com

Thomas E. Frankovich tfrankovich@disabilitieslaw.com

Thuy Minh-Ha Hoang thoang@disabilitieslaw.com

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6 **Dated: September 20, 2006**

Richard W. Wieking, Clerk

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8 **By: /s/ JW Chambers**
9 **Elizabeth Garcia**
10 **Courtroom Deputy**